

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

MICHAEL DUNBAR, by and through )  
Nikita Bailey as administrator for )  
his Estate, )  
Plaintiff, ) 07 C 204  
v. ) Judge Conlon  
CITY OF CHICAGO, et al. )  
Defendants. )

**MOTION TO VOLUNTARILY NONSUIT FEDERAL CLAIMS**

Plaintiff, by counsel, respectfully requests leave to dismiss the federal claims and to release supplemental jurisdiction in this Court for re-filing the state law claims in state court. In support, Plaintiff states as follows.

1. This case is presently pending before this Court. It was scheduled for trial in November 2008.

2. With the Court's permission, it is Plaintiff's intention to voluntarily nonsuit the federal claims. Should the Court be inclined to relinquish jurisdiction of the state law claims, Plaintiff would re-file in state court.

WHEREFORE, Plaintiff respectfully requests that the Court (a) permit a voluntary nonsuit on the federal claims; and (b) dismiss the state law claims with leave to refile in state court.

Respectfully Submitted:

/s Jon Loevy

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